



City of Lucas  
**Planning and Zoning Commission**  
Video Conference Regular Meeting  
October 8, 2020

7:00 PM

City Hall – 665 Country Club Road – Lucas, Texas

**MINUTES**

**Call to Order**

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Chairman Keer called the video conference meeting to order at 7:00 pm. It was determined that a quorum was present, and the Pledge of Allegiance was recited.

**Commissioners Present:**

Chairman David Keer  
Vice Chairman Tim Johnson  
Commissioner Peggy Rusterholtz  
Commissioner Tommy Tolson  
Commissioner Joe Williams  
Alternate Commissioner Dusty Kuykendall  
Alternate Commissioner Adam Sussman

**Staff Present:**

City Manager Joni Clarke  
Development Services Director Joe Hilbourn  
City Secretary Stacy Henderson  
City Attorney Courtney Morris

**City Council Liaison:**

Mayor Jim Olk

**Regular Agenda**

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1. **Consider approval of the minutes of the September 10, 2020 Planning and Zoning Commission meeting.**

Vice Chairman Johnson requested a change to page 2, paragraph 4, bullet #7 of the minutes. The text refers to “hand” radio. Vice Chairman Johnson requested the word be changed to “ham” radio.

**MOTION:** A motion was made by Vice Chairman Johnson, seconded by Chairman Keer to approve the minutes as amended. The motion passed unanimously by a 5 to 0 vote.

2. **Discuss and provide direction to staff regarding amending the City’s Code of Ordinances, Chapter 14 Zoning, Article 14.04 Supplementary Regulations, by adding Division 12 Personal Broadband Antenna and Support Structures.**

Development Services Director Joe Hilbourn gave a presentation discussing amendments requested by the Planning and Zoning Commission that included the following:

Related to Use:

Adding Division 12.4(a) and 12.4(b) Personal Broadband Antenna and Support Structures to Chapter 14 Zoning with the following:

- (4) Minimize the number of broadband antenna support structures in a neighborhood and adjacent area:
- (a) Broadband antenna support structure owners are encouraged and authorized to allow their Wireless Internet Service Provider (WISP) to use their broadband antenna support structure as a relay, hub, transmitter or micro pop location.
- (b) Regarding other sections of the municipal code, the use described above shall not be considered a commercial usage.

Related to Height, Location & Setbacks:

- To the extent possible, broadband antenna support systems should be in areas to provide minimal impact on the community. Alternative or stealth designs are encouraged for all broadband antenna support structures.
- Maximum height of 80 feet unless approved by the Development Review Committee for a greater height
- Front yard setback of 50 feet unless approved by the Development Review Committee for less
- Side and rear yard setbacks of 20 feet unless approved by the Development Review Committee for less

Related to Construction Standards:

- Broadband antenna support structures shall be installed in accordance with the manufacturer's specifications. Modifications to the manufacturer's installation specifications shall bear the seal and signature of a Texas licensed professional engineer

Commissioner Rusterholtz inquired if the proposed addition adequately addressed the possible use of Broadband antenna support structures as cell towers? Mr. Hilbourn stated that the structure can only be used as a relay, hub, transmitter, or micro pop location and specific language prohibits any manner of commercial usage.

City Attorney Courtney Morris noted that she had consulted with several attorneys specializing in utilities law, who all believed the ordinance did not conflict with any federal regulations.

No formal action was taken on this item, the Commission directed staff to prepare an ordinance and public hearings for the proposed amendments.

## **Executive Session Agenda**

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### **3. Executive Session.**


An Executive Session was not held at this meeting.

4. **Adjournment.**

**MOTION:** A motion was made Commissioner Williams, seconded by Commissioner Rusterholtz to adjourn the meeting at 7:09 pm. The motion passed unanimously by a 5 to 0 vote.



David Keer, Chairman



Stacy Henderson, City Secretary

